IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Writ Petition No. 43 of 2005 (S/S)

1. Chandra Veer Singh Makloga
   S/o Sri S.S. Makloga
2. Narendra Singh
   S/o Sri Sher Singh Sajwan
3. Vijay Singh Negi
   S/o Sri Hari Singh Negi
4. Vipin Badoni
   S/o late Sri S.P. Badoni
5. Smt. Anita Negi
   W/o Sri Abbal Singh Negi.

……..…… Petitioners

Versus

1. Garhwal Mandal Vikas Nigam Ltd.
   through its Managing Director
   74 / 1 Rajpur Road, Dehradun.
2. General Manager (Mines)
   Garhwal Mandal Vikas Nigam Ltd.
   74 / 1 Rajpur Road, Dehradun.

……..... Respondents

None for the petitioners.
None for the respondents.

Hon'ble Prafulla C. Pant, J.

None present for the parties.

2) Petitioner Nos. 1 and 2 are working on daily wages (Group 'D' category) with Garhwal Mandal Vikas Nigam Limited. Petitioner Nos. 3, 4 and 5 are working on daily wages (Group 'C' category) with the same Nigam. By means of this writ petition, the petitioners have sought their regularization in service with the Nigam.

3) In view of the principle of law laid down in ***Secretary State of Karnataka Vs. Uma Devi, reported in 2006 A.I.R.S.C.W. Page 1991,*** that daily wage workers and the persons employed without undergoing regular selection process under the rules, should not be permitted to be absorbed or regularized in the service, against the Constitutional Scheme of public employment, this Court is not inclined to issue direction to regularise services of the petitioners.

4) Therefore, the writ petition is dismissed. Interim order, if any, stands vacated. (All pending applications in this Petition also stand disposed of).

(Prafulla C. Pant, J.)

Dt.: November 15, 2006
H.Negi